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February 25, 1985

Stephen Shakman, Esq.
Minnesota Pollution Control Agency
1935 West County Road B2
Roseville, Minnesota 55113

Re: U.S.A., et al. v. Reilly
Tar & Chemical Corp., et al.

Dear Steve:

Our client, Reilly Tar & Chemical Corporation, has been advised by your client, the Minnesota Pollution Control Agency, that at a meeting of the PCA board to be held February 26, 1985, the PCA staff will ask for authority to enter into a \$50,000 contract with a consulting firm to study the feasibility of discharging water from gradient control wells in St. Louis Park into surface waters.

I must point out that this is precisely what the PCA has ordered Reilly to do in its Request for Response Action issued December 18. Apparently the PCA no longer wants Reilly to do this, and has revoked the RFRA. If so, this is a funny way to tell us, and a funny way to run an agency.

If the PCA and the EPA do not stop this practice of issuing contradictory orders to Reilly, and otherwise trying to extort a favorable settlement, we will move the Court for appropriate relief.

Very truly yours,

Edward J. Schwartzbauer
Edward J. Schwartzbauer/ml

EJS:ml

cc: Honorable Crane Winton
All Counsel of Record
Robert Leininger, Esq.
Paul G. Zerby, Esq.

70-7-1-21

DEPART
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POLLUTION/ENFORCEMENT